

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: October 8, 2021

Time: 1:10 – 2:00=
50 Minutes

Judge: EDWARD M. CHEN

Case No.: 21-MJ-71523

Case Name: USA v. Mark DeHart

Attorney for Government: Christoffer Lee

Attorneys for Defendant: Varell Fuller

Defendant: [X] Present by videoconference [] Not Present

Defendant's Custodial Status: [X] In Custody [] Not in Custody

Deputy Clerk: Angella Meuleman
Interpreter:

Court Reporter: Belle Ball
Pretrial Officer: Ana Mendoza

PROCEEDINGS HELD BY ZOOM WEBINAR

[6] MOTION Revoke Magistrate Court's Pre-Trial Release of Defendant – Held.

SUMMARY

Parties stated appearances and proffered argument. Defense counsel confirmed defendant's consent to appear by videoconference and waived live appearance for this proceeding.

The Court reiterated it is applying *de novo* review.

The Court discussed with the parties and Probation the recent jail incident, prior history and any evaluation of mental health issues, the program offered by Pathways and the relationship of the proposed sureties with Defendant.

Current sureties for this defendant are Lynne DeHart-Dustin, Dylan DeHart, and Kate Stemplinger (defendant's mother, brother, and sister). Court spoke directly with each regarding their relations with Defendants and willingness to take on the responsibility as sureties.

Subsequent to the Court speaking with Government, Defense counsel, Pretrial Officer, Defendant's mother, brother, and sister, the Court imposed two additional conditions to the bond:

- 1) Defendant is to wear GPS location monitoring at all times until further order;**
- 2) A complete mental health assessment is ordered for this Defendant, to be arranged as soon as possible, preferably within the next two weeks before he transitions to Pathway. Assessment to be performed while Defendant is in the halfway house. Mental health counseling if indicated.**

The Court confirmed with the sureties they understood and agreed with the conditions and inquired of Defendant as well.

The stay order is hereby LIFTED by **5:00pm** today (October 8, 2021) to include these conditions and the terms of bond are modified to include same. Further, Defendant is to be released on Tuesday, **October 12, 2021**, between the hours of 8AM and 9AM.

Defendant is to be released to the halfway house (Geo Care Halfway House in San Francisco initially, then Pathways in San Jose).